

MAY 14 2007


Atty. Docket No. GRA31 P-303

CERTIFICATE OF FACSIMILE

I hereby certify that this paper, together with all enclosures identified herein, is being sent via facsimile transmission to the U.S. Patent and Trademark Office at 571/273-8300 addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. A total of 3 pages should be received.

05-14-07

Date


Jaclyn R. Folkema

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1761
Examiner : Helen F. Pratt
Appln. No. : 10/624,225
Applicants : Nirmal K. Sinha et al.
Filing Date : July 22, 2003
Confirmation No. : 6962
For : PROCESS FOR CONVERTING BRINED SWEET CHERRIES INTO
SWEETENED DRIED RED TART CHERRY-LIKE PRODUCTS AND
STABILIZED BLACK CHERRY-LIKE PRODUCTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board from the decision of the Primary Examiner mailed March 14, 2007, finally rejecting claims 1-26.

The items checked below are appropriate:

1. STATUS OF APPLICANTS

This application is on behalf of:

 other than a small entity
X small entity

05/15/2007 TL0111 00000072 162463 10624225

01 FC:2401 250.00 DA

MAY 14 2007

Applicants : Nirmal K. Sinha et al.
Appln. No. : 10/624,225
Page : 2

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 35 U.S.C. §41(a)(6) the fee for filing the Notice of Appeal is:

☒ small entity \$250.00
☐ other than a small entity \$500.00

Notice of Appeal fee due: \$250.00

3. EXTENSION OF TIME

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. §§41.37(e) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$120.00	\$60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input type="checkbox"/> three months	\$1020.00	\$510.00

Fee: \$

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- (b) ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$

or

RECEIVED
CENTRAL FAX CENTER

MAY 14 2007

Applicants : Nirmal K. Sinha et al.
Appln. No. : 10/624,225
Page : 3

- (b) X Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee: \$250.00
Extension fee (if any): \$0.00

Total Fee Due: \$250.00

5. FEE PAYMENT

___ Attached is a check in the sum of \$

X Charge Account No. 16-2463 the sum of \$250.00

6. FEE DEFICIENCY

X If any additional extension and/or fee is required, charge Account No. 16-2463.


and/or

___ If any additional fee for claims is required, charge Account No. 16-2463.

Respectfully submitted,

May 14, 2007
Date

TAV/jrf


Todd A. Van Thomme, 44 285
Price, Heneveld, Cooper, DeWitt & Litton, LLP
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610